

### **REMARKS**

This paper is filed in response to the May 23, 2005 Office Action. As this paper is filed on August 23, 2005, this response is timely filed.

#### **I. Status of Amendments**

Prior to this amendment, claims 54, 56-66 and 68-83 were pending. By way of this amendment, claims 54, 59, 61, 64, 66, 73 and 76 are amended and claims 60 and 72 are canceled. Therefore, claims 54, 56-59, 61-66, 68-71 and 73-83 are at issue.

#### **II. Response to Office Action**

In the Office Action, claims 54 and 59 were objected to as awkwardly worded. Claims 54, 59, 61, 64, 66, 73 and 76 have been amended to address the Examiner's concerns. The applicant requests the objection be withdrawn.

Claims 54, 60, 61, 63-66, 72, 73, 75-77, 79, 80, 82 and 83 are rejected under 35 USC § 103(a) as being allegedly unpatentable over Vancura (United States Patent No. 6,769,986) in view of Walker (United States Patent No. 6,394,899). Claims 56-59, 62, 68-71, 74, 78 and 81 are rejected under 35 USC § 103(a) as being allegedly unpatentable over Vancura in view of Walker, in further view of Olsen (United States Patent No. 6,217,448) or Walker (United States Patent No. 6,193,606).

Independent claim 54 has been amended to recite, in part, forming a team from a plurality of players, receiving a vote from at least one of the team at a processing unit on the gaming network, the vote associated with at least one of the fixed set of answers, and determining the answer selection at the processing unit on the gaming network according to the vote received from the at least one of the team. The amendment is supported by canceled claim 60 and the specification in at least paragraphs 53 and 54. No new matter has been added.

On page 5 of the May 23 Office Action, it is suggested that, because Walker stated that a team may be formed, it would be obvious for the players of the team to vote and for an answer selection to be determined by the vote. Reliance is specifically placed on col. 6:40-47. While col. 6:40-47 does suggest "players may join together to form a team," Walker

does not, in that passage or elsewhere, expressly state that a vote be taken, or that an answer be selected according to a vote. Moreover, while Walker states at col. 7:2-4 that team participants may "give advice, answers or any other type of feedback," there is nothing that would lead one skilled in the art to implement a formal vote implemented by a processing unit to this informal scheme of information sharing. It may even be suggested that a formal vote implemented by a processing unit runs contrary to the informal nature of the team suggested in Walker.

Because neither Walker nor Vancura discloses, teaches, or suggests the limitations added by this amendment to claim 54, the applicant requests that the rejection of claim 54 be withdrawn. Because claim 54 is allowable, its respective dependent claims 56-59, 61-65, and 78-80 are also allowable at least for this reason.

Independent claim 66 has been amended to recite, in part, the at least one processing unit forms a team from a plurality of players, the at least one processing unit receives a vote from at least one of the team, the vote associated with at least one of the fixed set of answers and the at least one processing unit determines the answer selection according to the vote received from the at least one of the team. The amendment is supported by canceled claim 72 and the specification in at least paragraphs 53 and 54. No new matter has been added.

In keeping with the remarks above, neither Walker nor Vancura discloses, teaches or suggests the limitations added by the amendment to claim 66. Because the cited references do not disclose, teach, or suggest each limitation of claim 66, the claim is allowable and the applicant requests that the rejection of claim 66 be withdrawn. Because claim 66 is allowable, its respective dependent claims 68-71, 73-77, and 81-83 are also allowable at least for this reason.

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Amendment dated August 23, 2005  
Reply to Office Action of May 23, 2005


Docket No.: 29757/AG71

In view of the above amendment, the applicant believes the pending application is in condition for allowance.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 13-2855, under Order No. 29757/AG71 from which the undersigned is authorized to draw.

Dated: August 19, 2005

Respectfully submitted,

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